

United States Bankruptcy Court  
Western District Of Texas

In re Premier General Holdings, Ltd. ) Case No. 10-50606  
Debtor\* )  
 )  
 ) Chapter 7  
 )

## **SUMMONS TO DEBTOR IN INVOLUNTARY CASE**

To the above named debtor:

A petition under title 11, United States Code was filed against you in this bankruptcy court on February 19, 2010 (date), requesting an order for relief under chapter 7 of the Bankruptcy Code (title 11 of the United States Code).

YOU ARE SUMMONED and required to file with the clerk of the bankruptcy court a motion or answer to the petition within 21 days after the service of this summons. A copy of the petition is attached.

Address of the clerk: P.O. Box 1439  
San Antonio, TX 78295-1439

At the same time, you must also serve a copy of your motion or answer on petitioner's attorney.

Name and Address of Petitioner's Attorney:

Elliott S. Cappuccio, Pulman, Cappuccio, Pullen & Benson, LLP  
2161 NW Military Hwy., Suite 400, San Antonio, TX 78213

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 1011(c).

If you fail to respond to this summons, the order for relief will be entered.

GEORGE D. PRENTICE, II (Clerk of the Bankruptcy Court)

Date: 2/23/2010

By: Daniel Pay (Deputy Clerk)

\* Set forth all names, including trade names, used by the debtor within the last 8 years. (Fed. R. Bankr. P. 1005).

### CERTIFICATE OF SERVICE

I, Thomas O Caswell (name), certify that on 2/24/10 (date), I served this summons and a copy of the involuntary petition on Premier General Holdings (name), the debtor in this case, by [describe the mode of service and the address at which the debtor was served]:

MARK wyne

11087 ROCKY TRAIL  
SAN ANTONIO, TX 78249

If service was made by personal service, by residence service, or pursuant to state law, I further certify that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made.

Under penalty of perjury, I declare that the foregoing is true and correct.

Date 2/25/10

Signature

Thomas O Caswell

Print Name :

Business Address:

101 Stumberg

SAN ANTONIO, TX 78204

<b>UNITED STATES BANKRUPTCY COURT</b> Western District of Texas		<b>INVOLUNTARY PETITION</b>
IN RE (Name of Debtor – If individual: Last, First, Middle)  Premier General Holdings, Ltd.		ALL OTHER NAMES used by debtor in the last 8 years (Include married, maiden, and trade names.)
Last four digits of Social-Security or other Individual's Tax-I.D. No./Complete EIN (If more than one, state all.): <b>32036193210</b>		
STREET ADDRESS OF DEBTOR (No. and street, city, state, and zip code)  <b>11007 Rocky Trail San Antonio, TX 78249-4146</b>		MAILING ADDRESS OF DEBTOR (If different from street address)
COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS <b>Bexar</b>		ZIP CODE <b>78249</b>
ZIP CODE <b>78249</b>		
LOCATION OF PRINCIPAL ASSETS OF BUSINESS DEBTOR (If different from previously listed addresses)		
CHAPTER OF BANKRUPTCY CODE UNDER WHICH PETITION IS FILED  <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11		
<b>INFORMATION REGARDING DEBTOR (Check applicable boxes)</b>		
<b>Nature of Debts</b> (Check one box.)  Petitioners believe:  <input type="checkbox"/> Debts are primarily consumer debts <input checked="" type="checkbox"/> Debts are primarily business debts		<b>Type of Debtor</b> (Form of Organization)  <input type="checkbox"/> Individual (Includes Joint Debtor) <input checked="" type="checkbox"/> Corporation (Includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)  <hr/>
		<b>Nature of Business</b> (Check one box.)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51)(B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other
<b>VENUE</b>  <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in the District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.  <input type="checkbox"/> A bankruptcy case concerning debtor's affiliate, general partner or partnership is pending in this District.		<b>FILING FEE</b> (Check one box)  <input checked="" type="checkbox"/> Full Filing Fee attached  <input type="checkbox"/> Petitioner is a child support creditor or its representative, and the form specified in § 304(g) of the Bankruptcy Reform Act of 1994 is attached. <i>[If a child support creditor or its representative is a petitioner, and the petitioner files the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.]</i>
<b>PENDING BANKRUPTCY CASE FILED BY OR AGAINST ANY PARTNER OR AFFILIATE OF THIS DEBTOR</b> (Report information for any additional cases on attached sheets.)		
Name of Debtor		Case Number
Relationship		District
<b>ALLEGATIONS</b> (Check applicable boxes)		COURT USE ONLY
1. <input checked="" type="checkbox"/> Petitioner (s) are eligible to file this petition pursuant to 11 U.S.C. § 303 (b). 2. <input checked="" type="checkbox"/> The debtor is a person against whom an order for relief may be entered under title 11 of the United States Code. 3.a. <input checked="" type="checkbox"/> The debtor is generally not paying such debtor's debts as they become due, unless such debts are the subject of a bona fide dispute as to liability or amount; or b. <input type="checkbox"/> Within 120 days preceding the filing of this petition, a custodian, other than a trustee receiver, or agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.		

Name of Debtor Premier General Holdings, Ltd.

Case No. \_\_\_\_\_

## TRANSFER OF CLAIM

Check this box if there has been a transfer of any claim against the debtor by or to any petitioner. Attach all documents that evidence the transfer and any statements that are required under Bankruptcy Rule 1003(a).

## REQUEST FOR RELIEF

Petitioner(s) request that an order for relief be entered against the debtor under the chapter of title 11, United States Code, specified in this petition. If any petitioner is a foreign representative appointed in a foreign proceeding, a certified copy of the order of the court granting recognition is attached.

Petitioner(s) declare under penalty of perjury that the foregoing is true and correct according to the best of their knowledge, information, and belief.

x John D. Davenport Managing Member

Signature of Petitioner or Representative (State title)

Dillon Water Resources, L.P.

2/19/10

2/19/10

x Signature of Attorney

Pulman, Cappuccio, Pullen &amp; Benson, LLP

Date

Name of Attorney Firm (If any)

2161 NW Military Hwy, Suite 400, San Antonio, TX 78213

Address

(210) 222-9494

Telephone No.

Name of Petitioner

Date Signed

Name & Mailing  
Address of Individual11844 Bandera Road,  
PMB 411Signing in Representative  
Capacity

Helotes, TX 78023

x John D. Davenport Signature of Petitioner or Representative (State title)

Dean Davenport

2/19/10

2/19/10

x Signature of Attorney

Hall &amp; Bates, L.L.P.

Date

Name of Attorney Firm (If any)

115 E. Travis, Suite 700, San Antonio, TX 78205

Address

(210) 222-2000

Telephone No.

Name of Petitioner

Date Signed

Name & Mailing  
Address of Individual  
Signing in Representative  
Capacity19516 Scenic Loop Rd.,  
Helotes, TX 78023

x Signature of Petitioner or Representative (State title)

Name of Petitioner

Date Signed

Name & Mailing  
Address of Individual  
Signing in Representative  
Capacity

x Signature of Attorney

Date

Name of Attorney Firm (If any)

Address

Telephone No.

## PETITIONING CREDITORS

Name and Address of Petitioner

Dillon Water Resources, L.P.

Nature of Claim

Amount of Claim

62,998,787.03

Name and Address of Petitioner

Dean Davenport

Nature of Claim

Amount of Claim

749,493.15

Name and Address of Petitioner

Nature of Claim

Amount of Claim

Note: If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, each petitioner's signature under the statement and the name of attorney and petitioning creditor information in the format above.

Total Amount of Petitioners' Claims  
62,998,787.03

continuation sheets attached

\*Claims overlap by \$749,493.15

## Open A New Involuntary Petition

**U.S. Bankruptcy Court**

**Western District of Texas**

### Notice of Bankruptcy Case Filing

The following transaction was received from Cappuccio, Elliott entered on 2/19/2010 at 1:36 PM CST and filed on 2/19/2010

**Case Name:** Premier General Holdings, Ltd

**Case Number:** 10-50606

**Document Number:** 1

#### **Docket Text:**

Involuntary Petition under Chapter 7 ( Filing Fee: \$ 299.00 ) Re: Premier General Holdings, Ltd Filed by Petitioning Creditor(s): Dillon Water Resources, LP, Dean Davenport, (Cappuccio, Elliott)

The following document(s) are associated with this transaction:

**Document description:** Main Document

**Original filename:** K:\D\Hillman Water Resources\Premier General Holdings BR\Involuntary Petition - Second\Pleadings\Involuntary Petition - 2nd - Dillon-signed.pdf

#### **Electronic document Stamp:**

[STAMP bkecfStamp\_ID=988230274 [Date=2/19/2010] [FileNumber=13696517-0] [6d426419fd044b71f4060f0ef59c4ea4377c423622decc6adfbab0e677f4a399567 843b22d78e2a54aa41cdbba07a7af8ad02bd7efbdd34828fd369fc7fdabdd]]

#### **10-50606 Notice will be electronically mailed to:**

United States Trustee - SA12  
USTPRegion07.SN.ECF@usdoj.gov

#### **10-50606 Notice will not be electronically mailed to:**

Dean Davenport  
19516 Scenic Loop Road  
Helotes, TX 78023

Dillon Water Resources, LP  
11844 Bandera Road  
PMB 411  
Helotes, TX 78023

Premier General Holdings, Ltd  
11007 Rocky Trail  
San Antonio, TX 78249

**U.S. Bankruptcy Court  
Western District of Texas**

Thank you. Your transaction in the amount of **\$ 299.00** has been completed.

Please print a copy of your transaction receipt for future reference. The transaction number is **8917792**.

**Detail description:**

Involuntary Petition Chapter 7(10-50606) [misc,involp7] ( 299.00)

[Close window](#)